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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,897	06/29/2000	Shu Lin	RCA 89, 817	7641

7590

02/22/2002

JOSEPH S. TRIPOLI
PATENT OPERATIONS - THOMSON MULTIMEDIA
LICENSING INC.
CN 5312
PRINCETON, NJ 08543-5312

EXAMINER

PSITOS, ARISTOTELIS M

ART UNIT

PAPER NUMBER

2653

DATE MAILED: 02/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/606,897

Applicant(s)

LIN ET AL.

Examiner

Aristotelis M Psitos

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11 and 13-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,6-11,13 and 16-20 is/are rejected.
- 7) ☒ Claim(s) 4,5,14,15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Applicants' response of 1/14/02 has been received, entered and the following action is made in response.

Applicants' communication of 1/14/02 refers to an accompanying 1449 form. No such form was attached to the communication. Nevertheless, the prior art documents submitted have been made of record – see the attached 892 form.

Specification

1. The amendment to the title of the invention is acknowledged, nevertheless the argued feature with respect to the reverse direction is not in the title and the examiner again requests the title to reflect such.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of

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each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1, 8 and 11 and 18 are rejected under 35 U.S.C. 103(a) as being obvious over Kondo et al further considered with Hasegawa et al or WO 97/06531

Kondo et al discloses an editing system wherein reordered positions of recorded information are provided for by rewriting start and end points in the TOC of the disc. Applicants' attention is drawn to the disclosure at col. 16 the discussion with respect to divide and combine edit functions. With respect to claim 18, the examiner interprets the display of the combining ability – see col. 18 lines 60+ to meet this limitation.

The independent claims have been amended to include a secondary ability of modifying a second jump command in a reverse direction. The ability of both a forward and reverse playback is considered known as taught by the Hasegawa et al reference. The further ability of having the control signal able to cause a jump in either forward or backward directions is considered a logical extension of the fwd and bwd playback abilities available in DVD systems.

Alternatively, the WO document see for instance pages 29 to 53, which describe the bi-directional playback/special mode/jump capability.

It would have been obvious to one of ordinary skill in the art to modify the system of the above noted prior art systems to Kondo et al with the teaching from Hasegawa et al of the WO document, motivation is to permit bi-directional playback/scan/trick modes.

4. Claims 1 and 11 are rejected under 35 U.S.C. 103(a) as being obvious over Aramaki et al and further considered with either Hasekawa et al or WO 97/06531.

Aramaki et al discloses an editing system wherein the management information is rerecorded to provide for update abilities – editing – see col. 36 lines 35 –50 for instance - such as skipping etc.

As far as the examiner can interpret the system of Aramaki et al – the pointers act as the ability to rewrite the start and end address points. The independent claims have been modify to include the modification of the jump command in the reverse direction.

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The ability of both fwd and bwd playback is taught by the Hasegawa et al reference. The further ability of having the control signal able to cause a jump in either forward or backward directions is considered a logical extension of the fwd and bwd playback abilities available in DVD systems.

Alternatively, the WO document see for instance pages 29 to 53, which describe the bi-directional playback/special mode/jump capability.

It would have been obvious to one of ordinary skill in the art to modify the system of the above noted prior art system to Arakami with the teaching from Hasegawa et al or WO 97/06531, motivation is to permit bidirectional playback/scan/trick mode.

5. Claims 1 and 11 are rejected under 35 U.S.C. 103(a) as obvious over Nagasawa further considered with either Hasegawa et al or WO 97/06531.

Nagasawa in describing the conventional editing system provides for the rerecording of the new addresses in the TOC – see col. 4 lines 8 – 12 for instance. The independent claims have been modified to include the modification of the jump command in the reverse direction.

The ability of both fwd and bwd playback is taught by the Hasegawa et al reference. The further ability of having the control signal able to cause a jump in either forward or backward directions is considered a logical extension of the fwd and bwd playback abilities available in DVD systems.

Alternatively, the WO document see for instance pages 29 to 53, which describe the bi-directional playback/special mode/jump capability.

It would have been obvious to one of ordinary skill in the art to modify the system of the above noted prior art system to Nagaswa with the teaching from Hasegawa et al or WO 97/06531, motivation is to permit bidirectional playback/scan/trick mode.

Response to Arguments

1. Applicant's arguments filed 1/14/02 have been fully considered but they are not persuasive. Applicants' have argued that none of the references teach, motivate for the examiner's position with respect to the reverse direction jump command modification. The examiner respectfully disagrees.

The secondary references teach the ability of having a bi-directional capability. This bi-directional capability provides for the random access/play of the record medium. Since the base systems provide

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for jump command modification in a fwd direction, the examiner considers it a logical extension to provide for a bwd jump command modification especially since the pointers in all the above systems do not limit themselves in one direction – note especially the WO document that additionally provides for a separate backward identification for the jump.

6. Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claims 1 and 11 above, and further in view of Taira et al.

The specific cell format is considered to be inherently present in Taira et al. The examiner interprets the limitations of claim 3/13 as descriptive of the MPEG-2 format noted in Taira et al.

It would have been obvious to one of ordinary skill in the art to modify the system of the prior art as relied upon with respect to claims 1 and 11 with the teaching from Taira et al, motivation is to save valuable resources by updating the systems ability to playback MPEG-2 formatted records.

7. Claims 6 and 7 and 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claims 1 and 11 above, and further in view of Taira et al.

The limitations/ability of re-indicating start and end points/addresses is taught by the Taira et al system. The examiner interprets this re-indication as being predicated upon the MPEG-2 format noted in Taira et al.

It would have been obvious to one of ordinary skill in the art to modify the system of the prior art as relied upon with respect to claims 1 and 11 with the teaching from Taira et al, motivation is to save valuable resources by providing for upward compatible editing systems for new signal formats as they become introduced into the market place.

15. Claims 9 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claims 8 and 9 above, and further in view of erasure procedure well known in the magnetic arts.

As known to those in the magnetic recording arts – and those using PCs, the ability to “erase” a segment of information on the record/disc is enabled by using the erase feature. This erase feature places an appropriate signal at the start of the record segment indicating that the following segment/information is not erased/erasable. The examiner interprets the “erase” function as the teaching of restriction flag ability.

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It would have been obvious to one of ordinary skill in the art to modify the system of the prior art as relied upon with respect to claim 8/18 with the teaching from erasing segments on magnetic discs, motivation is to save valuable resources by not reinventing the wheel and using existing techniques to create appropriate control flags.

16. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the above art as applied to claims 1 and 11 above, and further in view of Greenwood et al/Official notice.

The ability of creating edit tables/ or erased tables is considered to be either taught by the Greenwood et al reference – see his description of edit tables. Alternatively, when one erases information on a mag. Disc, a table is generated that keeps track of the amount of empty space on the disc. The examiner recommends applicants to use their PC and erase selected segments on either their hard drive or an inserted floppy. Then applicants can discover how much empty space is found on this disc before and after erasure. Note that the amount of empty space is noted by their PCs. The examiner interprets such as predicated upon the existing of a “table” that keeps track of the amount of empty space (normally in the TOC) on the disc.

It would have been obvious to one of ordinary skill in the art to modify the system of the above art as relied upon with respect to claim 2/12 with the teaching from either Greenwood et al or Official notice, motivation is to provide some inventory indication to the user of his records.

Conclusion

17. Claims 4,5,14 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kawamura et al, Ro et al and Saoyama et al are cited as illustrative of prior editing systems in this environment.

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

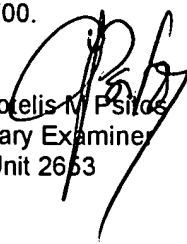
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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aristotelis M Psitos whose telephone number is (703) 308-1598. The examiner can normally be reached on M-Thursday 8 - 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, W. Korzuch can be reached on (703) 305-6137. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.


Aristotelis M Psitos
Primary Examiner
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AMP
February 18, 2002